



SAN BRUNO CITY COUNCIL

Minutes

July 8, 2003

THIS IS TO CERTIFY THAT:

The San Bruno City Council met in regular session at the San Bruno Senior Center 1555 Crystal Springs Road on July 8, 2003. Meeting was **called to order** at 7:00 p.m. Present were Mayor Franzella presiding; Councilmembers Ruane, Pallas, Ibarra, and O'Connell, City Clerk Simon recording.

Assistant City Manager Steve Rogers lead members in the **Pledge of Allegiance**.

Mayor Franzella thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement. Robert Marshall Jr., co-chair of the **San Bruno Pee Wee baseball**, presented both the 8 and under and 10 and under "Green Teams" to the City Council. They have just completed a very successful weekend tournament with 800 families participating. Both San Bruno teams won the tournament and received trophies. He thanked the City Council and the Parks and Recreation Departments for all their assistance in making this a great event. Mayor Franzella congratulated the parents, coaches, and boys.

Mayor Franzella announced that the nomination period for candidates filing for the **November 4, 2003 Municipal Election** begins July 14, 2003 and ends August 8, 2003. Filing period will be extended five days if any incumbent fails to file. Nomination papers available in the City Clerk's office. Elective office available; One (1) Mayor, a two (2) year term and two (2) Councilmembers, four (4) year terms. Mayor Franzella recognized County Supervisor Jerry Hill who was in the audience.

REVIEW OF AGENDA: Items 12. a. & 12. b. were moved up to after item 6.a.

APPROVAL OF MINUTES: Regular Council meeting of June 10, 2003, approved as submitted.

CONSENT CALENDAR: All items listed are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by Councilmember, citizen or staff.

a. Approve: Payroll of June 20th and July 3rd 2003.

b. Approve: Accounts Payable of June 2 & 9 & 16, 2003. (Council Packets only, copy is available for review at the City Clerk's office)

c. Accept: Presented by City Treasurer, Karen Hornung, reconciliation of **General Ledger to Bank Reports, and the Investment Report** dated May 31, 2003.

d. File: Letter from the Department of Housing and Community Development dated May 8, 2003 commending the City's efforts and leadership in developing an **effective housing plan**, which met the statutory requirements of State Housing Element Law.

e. Adopt: Recommended by Finance Director Jim O'Leary, resolution establishing **appropriations limit of \$21,528,101** for FY 2003-04 (Gann Initiative). The calculation for the appropriations limit is a requirement of Article XIII B of the California Constitution. Documentation used in determining limit was available for review in the City Clerk's Office 15 days prior to tonight's Council Meeting.

f. Approve: Authorize a **donation of \$500** from CATV account to the San Bruno American Legion Baseball team.

g. Approve: Out of state travel for CATV employees Al Johnson, System Engineer and Steve Firpo, Production Manager to attend the NCTC **conference in Portland, Oregon**.

h. Approve: Request for approval of resolution adopting the **Final Map** to create a 115-lot subdivision on what was formerly a Skyline College Parcel; per chapters 12.36 & 12.116 of the San Bruno Zoning Ordinance- FM-03-01 **SummerHill Homes** – applicant/owner.

- i. **Adopt:** **Public Works Director Scott Munns** recommended Council adopt a resolution recommending that the **San Mateo County Flood Control District** impose basic and additional annual charges for funding the expanded scope of work for the FY 2003-04 Countywide National Pollution Discharge Elimination System General Program.
- j. **Adopt:** Recommended by Finance Director Jim O’Leary, resolution adopting two-year **Enterprise Funds Budget** (Water, Wastewater, Stormwater and Cable Television Funds) for FY 2003-04 and FY 2004-05, implements May 27, 2003 and June 10, 2003 Council minute orders.
- k. **Accept:** Appointment of Planning Commission members **Petersen and Tobin** to the joint Ad Hoc Committee on Residential Additions.
- l. **File:** Letter dated June 17, 2003, from **Youth and Family Assistance YFA**, thanking the Mayor and Councilmembers for the recent contribution.
- m. **Approve:** Authorize a **donation of \$300** to the Society of Cable Television Engineers from the CATV account. **M/S Ruane/Ibarra** to approve all items, passed unanimously.

PUBLIC HEARINGS (NOTICES were published, posted and mailed):

Mayor Franzella had requested that **Use Permit 03-19**, which was approved by the Planning Commission on June 17, 2003, for a **Tow Yard and Vehicle Storage Lots under Freeway I-380**, be reviewed by the full City Council as a “de novo” hearing per Ordinance 1654, Chapter 12.210 of Title 12 (Land Use) of the San Bruno Municipal Code. Request for **three (3) automobile storage lots** in an Unclassified (U) Zoning District, per Section 12.96.180 of the San Bruno Zoning Ordinance. Peter & Paul Koehler (applicants) - Caltrans (owner). **Assistant Planner Aknin** gave project overview and noted one change to conditions and which was not to require a 10 foot fence on lot A. Two western lots will be used to store new vehicles. The Public Hearing was opened and those wishing to address the Council were invited to do so now.

Rose Urbach, Euclid Avenue, said Caltrans promised this area would be landscaped. The previous City Manager lost the plans, which showed the automatic watering. Please put some plants instead of concrete walls. **M/S Pallas/Ruane** to close the public hearing passed unanimously. **Applicant Peter Koehler** addressed the Council and answered questions regarding the use permit request. **Councilmember O’Connell** requested conditions be added to deal with hazardous waste on site. **Councilmember Ibarra** had concerns about security and the negative impact on residents of Montgomery Avenue. Condition should be added to have the Police Chief review the use permit to make security requirements. **Vice Mayor Pallas** concerned about site becoming an eye soar. **Mayor Franzella** questioned why the different fence height and color of slats for each of the three lots. **Councilmember Ibarra** requested fencing be looked at to make sure we don’t create a sight problem for vehicle movement and look at ways to soften just as some landscaping in very visible areas. **M/S Ibarra/O’Connell** to continue the public hearing until July 22, meeting in order to address concerns of access & traffic on Euclid Avenue, hazardous waste, fence height 6,8, or 10 feet, color of slats, no barb or razor wire, Ingress & Egress of property, Chief of Police having authority for public safety & security, and a plan to soften fence with some kind of landscaping. Passed unanimously.

Item added under new business which is urgency request for assistant from San Bruno Girls Softball team traveling to Saint Louis, will be item 13. c. **M/S O’Connell/Ruane** passed unanimously.

UNFINISHED BUSINESS:

City Clerk Simon requested Council consider approving the two remaining **Community Promotion Allocation** requests. Christian Action Life Line (CALL) and Peninsula Policy Partnership (Samceda) will have representatives available. Request was for \$3500. **Mary Wyatt, Director**, thanked the Council for the past support. **M/S O’Connell/Pallas** to approve the budget amount of \$1750, passed unanimously.

Supervisor Jerry Hill requested the City Council continue its annual support of the PPP in the same amount of \$5,000. **M/S Ruane/Ibarra** to approve and use Measure A funds for the allocation not general funds. Passed unanimously.

Item 12. b. **Personnel Board annual report** was moved up on the agenda. Chair Ken Pfeiffer introduced members Tom Cordes, Anna Marie Jones, and new member Keith Young. Members gave a complete report and were thanked by Mayor and Council.

Item 12. a. **Parks & Recreation Commission annual report** was moved up on the agenda. Past Chair Dave Nigel gave the presentation and introduced other members Chair Rico Medina, Chuck Zelnik, Bob Stanton, and Theresa Cook. Vice Mayor Pallas wants effort to expand the Senior Center. Councilmember Ibarra stated the City is well known for its sports and senior center programs. He is happy with Parks & Recreation and wants to thank them on behalf of the Council. Mayor Franzella also thanked the whole commission for a great job.

Vice Mayor Pallas requested the Council **reconsider** item 7. a. (1.) of the May 27, 2003 Council Meeting agenda, regarding approving funding of the abandonment of the Shannon Well (No.13) at 555 El Camino Real, and a test well in Forest Lane Park, due to the potential for contamination of the groundwater aquifer. Vice Mayor Pallas stated that after visiting the well sites he would like to change his vote to yes. **M/S Franzella/Ibarra** to reconsider voting on this item, passed unanimously. **M/S Franzella/Ibarra** to approve the original staff report, passed unanimously.

Mayor Franzella updated the Council and public on the ongoing **City Manager recruitment**. Interviews are scheduled for this Saturday and possibly a few days next week.

CALL FOR, PRESENTATION OF BIDS, and AWARD OF CONTRACTS:

Public Works Director Scott Munns recommended that the City Council:

(1.) Approve an award of contract for the **Belle Air Water and Sewer Replacement Project - Phase 2A** to the lowest responsible bidder, **Northwest Construction**, in the amount of \$758,998; and appropriate \$648,000 in Water Enterprise System Replacement Funds for the Belle Air Water Main Project, and \$730,000 in Wastewater Enterprise System Replacement Funds for the Belle Air Sewer Main Project; and authorize a total project budget in the amount of \$1,215,000 for design, construction project management and contingencies for the Phase 2A Project, as recommended in the staff report; and authorize the City Manager to execute a construction contract upon approval as to form by the City Attorney. **Merrill Buck, Deputy Director gave staff report.** Noticing to the neighbors was discussed and will be done. **M/S Ruane/O'Connell** to award contract, passed unanimously.

(2.) **Replacement of the air conditioning system** at the San Bruno Senior Center; make a finding that there is a public health and safety need to effect an immediate replacement of the current system (requires a 4/5 concurring vote of the Council). Award the construction contract to a contractor recommended by the City Manager, and authorize the City Manager to enter into a contract upon approval as to form by the City Attorney. Appropriate up to \$55,000 from the Equipment Reserve Fund (Buildings & Facilities) to fund a project budget for this work. The Mayor noted a supplemental report was received by the City Council.

Deputy Director Bradshaw stated, the unit is 17 years old, has reached the end of its life and due to high use of this building, temperatures have been unbearable and recommended use emergency procedures. Low bidder would take 8 to 10 weeks for \$31,000 and 1 week for \$41,000 to a higher bidder. **Councilmember Ruane** introduced the resolution for adoption with roll call vote. Passed unanimously. Mayor Franzella confirmed award is to the expedited bidder American Chiller Service in the amount of \$41,000.

(3.) Approve an award of contract for the **El Camino Real Manhole and Valve Raising Project** to the lowest responsible bidder, **Stoloski & Gonzalez, Inc**, in the amount of \$28,850; and authorize a FY 2003-04 appropriation of \$50,000 for the El Camino Real Manhole and Valve Raising Project, for the design, construction, project management and contingencies for this work as recommended in the staff report (\$40,000 from Wastewater Enterprise System Replacement Fund and \$10,000 from Water Enterprise System Replacement Fund); and authorize the City Manager to execute a construction contract

upon approval as to form by the City Attorney. **Merrill Buck, Deputy PWD Director** gave report. El Camino Real repaving will start next week and this work will follow. **M/S O’Connell/Ruane** to approve and passed unanimously.

(4.) Authorize a FY 2003-04 appropriation of \$1,400,000 from the Wastewater Enterprise System Replacement Funds for the **Lower Sneath Lane Trunk Sewer Replacement Project**. **Merrill Buck, Deputy Director** gave report. **M/S Ibarra/Ruane** to approve passed unanimously.

(5.) Authorize the City Manager to execute a contract amendment with the consulting firm of **Cole Management & Engineering, Inc.**, in a form as approved by the City Attorney, for continuing BART construction oversight and other construction management services for miscellaneous City Projects; for the additional not-to-exceed amount of \$195,000. **Merrill Buck, Deputy Director** gave report. **M/S Ruane/Ibarra** to approve execution of contact amendment and passed unanimously.

(6.) Approve and adopt Resolution Authorizing a Cooperative Agreement between the State of California Department of Transportation and the City of San Bruno for the **El Camino Real - Sneath Lane to I-380 Improvement Project**, and authorizing the City Manager to Execute Various Future Agreements and Certificates as necessary to complete the Project. **Deputy Director Buck** gave the report. This is actually an \$8,700,000 project. It requires right-a-way acquisition for additional lanes on El Camino Real from I 380 to Sneath Lane and an additional lane on the off-ramp at I 380. Work should be complete November of 2004. **Councilmember Ruane** introduced the resolution for adoption and roll call vote, all ayes. **Finance Director Jim O’Leary** recommends that the City Manager be authorized to execute lease agreement with MBA of California for **three replacement copy machines**. Lease payments will amount to \$726 each month for acquisitions at City Hall and the Public Library. Funding is through the Equipment Reserve Fund. **Geoffrey Buchheim, Accounting Manager** gave report. **M/S Ruane/O’Connell** to execute the lease agreement, passed unanimously.

COMMUNICATIONS:

Letter dated June 7, 2003, to the Mayor from **Mario Benavente**, Secretary of the San Bruno Lions Club, thanking the Council for their support of the 63rd annual **Posy Parade** held Sunday June 1, 2003.

Letter dated June 13, 2003, to Mayor Franzella from **Osamu Kobayashi**, Mayor of Narita, Japan, expressing his desire to actively continue the communications programs with the City of San Bruno. San Bruno youth exchange has just returned from Narita, and looks forward to a presentation to the Council.

Emails dated June 27, 2003, to the Mayor and Council from **Robert Riechel, 7th Avenue** requesting support from the Council, regarding needed work on a flood control ditch on Airport property and clean up of a ditch east of 7th Avenue he believes is a breeding ground for mosquitoes.

Robert Riechel of 7th Avenue thanked Council for getting the spray started and Jerry Bradshaw for his follow-up with the flood control ditch. Councilmember Ibarra thanked Mick Zayac from City Public Works department for call to Abatement District.

The 2002-2003 Grand Jury filed a report on May 15, 2003 with the City/County Association of Governments (C/CAG) on **Bicycle Safety** in San Mateo County. All public agencies mentioned in the Grand Jury report (C/CAG, the cities, and the County) are required to respond to the recommendations by August 13, 2003. Formal response will be on the July 22, 2003 Council Agenda.

STAFF REPORTS:

Acting Fire Chief Dan Voreyer & Chief of Police Lee Violett presented oral reports regarding the activities related to the Fire and Police Departments during the **July 4th** holiday. **Related item**, letter dated June 12, 2003, from South San Francisco **Mayor Gonzalez** asking the City of San Bruno to adopt an ordinance prohibiting the sale of “**safe and sane**” fireworks. **Fire Chief Voreyer** reported that during the sales period of June 28th to July 5th there were only 10 incidents related to fireworks. There were no reports of fires or injury from safe and sane fireworks. The one injury to a 14 year old was due to an illegal fireworks m100 being held in his hand when it went off. Call volume down 75% but there was a

large amount of illegal fireworks use. **Police Chief Violett** reported there was three times the number of officers assigned. Most notable was the seizure of 150 lbs of illegal fireworks. There were 121 calls for service on July 4th, which was down 22% from last year. Mayor Franzella thanked both Chiefs for their reports.

Cable TV Director Dave Thomas updated City Council and CATV subscribers on the discontinuation of the “**Cable View**” magazine. **M/S Ibarra/O’Connell** to concur with recommendation of the CABLE Director and passed unanimously.

Recreation Services Director Larry Mazzuca recommends City Council approve and adopt the City’s 15-year **Comprehensive Parks and Recreation Facilities Master Plan**. The City’s consultant SSA Associates will give a presentation. Mayor Franzella stated this was also the recommendation of the Parks & Recreation Commission. Director Mazzuca gave a report to the Council. City consultant SSA gave a brief overview of how the master plan was put together. **Vice Mayor Pallas** stated that funds could be obtained by selling water to the public from the water well behind the swimming pool. This would meet the expenses of improving the Parks. **Councilmember Ibarra** said the main City Park would have major changes such as deletion of ball fields and he sees an even greater demand for fields from girl’s softball and peewee baseball. **Mayor Franzella** requested staff coordinate a Study Session before an upcoming Council meeting and adoption of the Master Plan would take place after the study session.

REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None

PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Rose Urbach Euclid Ave., asked where the memory plaque for Quinta Hague that use to be in the old Council Chambers. When and where it would be re-installed? City Manager Hedley said he has the plaque and the decision has not yet been made determining which items will be put back on display.

REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

Council Ad Hoc Committee for Arts Commission (O’Connell/Ruane) presents options for allocating funds for an **Art in Public Places Program**. George Foscardo, Director explained the various options for calculating fees to be added to building permits for Art. Some examples are a fee for a new home would be \$190, kitchen remodel/room addition would be \$45, and a new roof \$20. Vice Mayor Pallas said this is taxation and should go on the ballot to see if people want to be taxed for Art.

Carolyn Livengood Sheryl Drive stated she received an upsetting email from Councilmember Irene O’Connell which criticized her comments that were made during the last proposal which is much different then tonight’s. Mayor Franzella thanked the sub-committee for presenting a much more reasonable approach which everyone can afford and spreads the burden to everyone in the community through the permit process. **M/S O’Connell/Ibarra** to approve a split fee option with 5% for residential and 7% for commercial permits. Yes, O’Connell, Ruane, Ibarra, Franzella, No, Pallas. An ordinance will be presented for approval at the 7/22/03 Council meeting.

Housing & Redevelopment Manager Mark Sullivan, recommended City Council introduce & adopt a resolution **extending the term** of the San Bruno Redevelopment Project Area Committee for one additional year. **Councilmember Ibarra** introduced the resolution for adoption with all ayes.

The Traffic Safety and Parking Committee recommends that the City Council adopt a resolution approving the installation of **STOP** signs at both intersections of Plymouth Way and Claremont Drive. Merrill Buck, Deputy Director gave report and noted full support of neighbors. **Councilmember O’Connell** introduce resolution for adoption with roll call vote and all ayes.

Council Ad Hoc Committee on Aircraft Noise Insulation (Franzella/Pallas) presented response to request of property owner (669 Green) to review program eligibility. The Mayor stated the 600 block of Green was not included in the 1995 Map, owner’s application was not submitted until 1998 and is not eligible.

Rose Urbach Euclid Avenue stated it was the City’s responsibility to protect the homes from airport noise. Call the Airport with time of low flying planes making noise.

Associate Planner Grant Wilson, presented the following recommendations by the San Bruno Bicycle and Pedestrian Advisory Committee (BPC):

(1.) That the San Bruno City Council approves the BPC mission Statement.

(2.) That the San Bruno City Council approves the committee By-Laws.

(3.) That the Council approve the local San Bruno supplement to the San Mateo County Bike Plan. Grant Wilson said “this is a very active committee”, are working very hard and thanked them for their efforts. Meetings are the 2nd Wednesday of each month at City Hall starting at 5:30 p.m. and public is welcomed. **M/S O’Connell/Ibarra** to approve all three requests from committee and passed unanimously.

Oral Updates:

Beautification Task Force (O’Connell) Next meeting, Sept 4, 2003 at City Hall in Conference room.

Beautification award nomination forms are out everywhere and can be accessed via City Web Site.

Citizens Advisory Committee for Caltrain Preferred Grade Separation and Station Design

(Ruane/Ibarra) Councilmember Ruane noted the last meeting was on June 19, 2003 and the Joint Powers Board will make a formal presentation to the City Council on July 22, 2003. This starts the 21-day review period for citizen input, formal action will be taken by the City Council at the August 12, 2003 meeting.

NEW BUSINESS:

City Clerk Ed Simon request Council consider setting date and time for interviewing applicants **to fill vacancies** on the Personnel Board (1) and the Community Preparedness Committee (1). Date set for July 22, 2003 at 6:30 p.m. Councilmember O’Connell request notice of vacancy be posted for the Culture and Arts Commission and for the Clerk to start receiving applications.

Designation of Voting Delegate and Alternate for the League of California Cities 2003 Annual Conference scheduled September 7th to Wednesday, September 10th, in Sacramento. Councilmember O’Connell was designated the voting member **M/S Ruane/Ibarra** to approve and passed unanimously.

Item 12c. Added to approve \$500 donation from Cable funds for San Bruno Girls softball team the Storm who will be traveling to St. Louis, Mo. **M/S O’Connell/Ruane** to approve and passed unanimously.

Mayor Franzella requested staff prepare a letter to PUC concerning the Razor Wire that was installed on fencing along the Harry Tracy treatment plant. It now has the look of a concentration camp and this is a scenic corridor. Concurrence from the Council.

Study Sessions scheduling: None

CLOSED SESSION: City Attorney Pamela Thompson request closed session to confer with City Council regarding potential litigation (Govt Code Section 54956.9(b)(1) and (c)).

Council adjourned to closed session at 10:30 p.m.

Council reconvened at 11:00 p.m. and Mayor Franzella reported that direction was given to City Attorney regarding potential litigation.

With no further business to conduct:

Meeting was adjourned to Saturday July 12, 2003, at 8:00 a.m. in the Marriott Hotel on Bayhill Drive in San Bruno for the purpose of a closed session to interview City Manager applicants. Pursuant to Govt code Section 54957 (personnel matters). Thereafter, meeting will adjourned to Monday July 14, 2003 at 6:00 p.m. at the Marriott Hotel on Bayhill Drive San Bruno and also to Tuesday July 15, and Wednesday July 16, 2003 at 6:00 p.m. if needed to complete the city Manager interviews. Thereafter, meeting will adjourned to July 22, 2003 at 6:30 p. m. at the Senior Center 1555 Crystal Springs Rd. for the purpose of interviewing applicants for openings on the Personnel Board and Community Preparedness Committee.

**Foregoing minutes approved by the
San Bruno City Council at the regular
Meeting of July 22, 2003**

Respectfully submitted,

Ed Simon, City Clerk

Larry Franzella, Mayor